Secret. II-27—300,000—25-4-50.

DEV

(1950) Department.

Mc SERIES.

G.O. No.	1293
Dated	30 3 50

[Despatch Abstract.]

Textiles — Prosecutions Offences committed under Control orders in respect of Textiles Iron and Steel Prosecution on the principle of vicarious responsibility — Prior approval of Govt. necessary Further instructions — Issued

GOVERNMENT OF MADRAS.

ABSTRACT.

Textiles - Prosecutions - Offences committed under the Control orders in respect of Textiles, Iron and Steel - Prosecution on the principle of vicarious responsibility - Prior approval of Government necessery - Further instructions - Issued.

DEVELOPMENT DEPARTMENT.

G.O.Ms.No.1293. Dated 30th March 1950.
Read the following:

G.O.Ms.No.5482, Development, dated 15th-10.49.

O R D E R:

In the G.O. read above the Government directed that their previous sanction be obtained before launching prosecutions in respect of offences involving vicarious responsibility committed under the various control orders relating to Textiles, Iron and Steel. The question has arisen whether the principle of vicarious responsiblity will apply to cases where offences are committed by unincorporated bodies and individual proprietors.

The Collectors are informed that penal provisions based on the principle of vicarious responsibi ity is an exceptional part of the criminal law, and this exceptional principle has in terms been recognised only in the case of offences by companies and corporations. There is no justification for extending that principle to other cases where offences are committed by unincorporated bodies and individual proprietors. In these latter class of cases, the ordinary criminal law will apply that just as in the case of offences under the I.P.C. The principle of vicarious responsibility will not ordinarily apply here. Cases of offences committed in shops etc. by individual proprietors and unincorporated bodies need be sent to Government only if they present exceptional features or involve any important principle of law.

(BY ORDER ETC.,)

R. KOTESWARA RAO,
Deputy Secretary to Government.

To
All Collectors.
The Director of Controlled Commodities.
The Registrar of Cooperative Societies.
The Inspector General of Police.
Copy to Home Department.
Copy to 'A' K'M. II. 'Secretariat'

/True Copy/.

A Murugesan
SUPERINTENDENT.

Vn.25.9. Madras Record Office, Madras.

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